

**City of Groveland**  
**E.L. PURYEAR BUILDING**  
243 SOUTH LAKE AVENUE  
GROVELAND, FLORIDA 34736  
(352) 429-2141

**EVELYN WILSON**  
MAYOR

**MIKE RADZIK**  
VICE MAYOR



**MIKE SMITH**  
COUNCIL MEMBER

**DINA SWEATT**  
COUNCIL MEMBER

**RANDOLPH WAITE**  
COUNCIL MEMBER

**CITY COUNCIL MEETING**  
**OCTOBER 5, 2020**  
**7:00 P.M.**

**ANITA GERACI-CARVER**  
CITY ATTORNEY

**MIKE HEIN**  
CITY MANAGER

**VIRGINIA WRIGHT**  
CITY CLERK

## GENERAL INFORMATION AND INSTRUCTIONS

The Mayor will ask for comments from the public, requesting that anyone desiring to speak on an item. When recognized by the Mayor, please approach the podium and speak into the microphone, stating your name, address, if you are a citizen that lives in the Groveland City limits, and then present the information you desire. Each person has a maximum of five (5) minutes to speak.

Items listed in the "Consent Agenda" will be approved by Council in their entirety by a single motion, unless otherwise indicated by Council. These are routine items not anticipated to be controversial and are placed on the Consent Agenda to expedite the meeting. If a Council Member, staff member or member of the public wishes to discuss any item on the Consent Agenda, they can request the item be removed from the Consent Agenda for discussion. The remaining items on the Consent Agenda will be voted on with one motion being made for all items on the Consent Agenda. Then the item removed from the Consent Agenda will be separately considered and voted on.

Items identified with a double asterisk (\*\*) are quasi-judicial functions of the City Council other than land use; the Council Members disclose any ex parte communications.

**Groveland Code of Ordinances Sec. 2-58 (f).** Any person desiring to address the Council shall first secure the permission of the presiding officer and shall give his name and address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof unless permission to do so is first granted by the presiding officer. Unless further time is granted by the presiding officer or the council, member of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a council member or city official except through the presiding officer.

If your address is exempt from public record you are not required to state it. In addition, do not give out your Social Security Number, phone number, email address or any other information you do not want others to have access to as the meetings are recorded and those recordings are considered public record.

**Pursuant to the provisions of Chap. 286, F.S., Sec. 286.0105,** if a person decides to appeal any decision made by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based and is advised to make such arrangements at his or her own expense.

**In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute,** persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office no later than 3 business day prior to the meeting at [virginia.wright@groveland-fl.gov](mailto:virginia.wright@groveland-fl.gov).

**PUBLIC NOTICE AND AGENDA OF THE GROVELAND CITY COUNCIL MEETING  
SCHEDULED TO CONVENE AT 7:00 P.M. MONDAY, OCTOBER 5, 2020 IN THE E.L.  
PURYEAR BUILDING LOCATED AT 243 S. LAKE AVENUE, GROVELAND, FLORIDA 34736**

MAYOR	EVELYN WILSON	<a href="mailto:evelyn.wilson@groveland-fl.gov">evelyn.wilson@groveland-fl.gov</a>
VICE MAYOR	MIKE RADZIK	<a href="mailto:mike.radzik@groveland-fl.gov">mike.radzik@groveland-fl.gov</a>
COUNCIL MEMBER	MIKE SMITH	<a href="mailto:mike.smith@groveland-fl.gov">mike.smith@groveland-fl.gov</a>
COUNCIL MEMBER	DINA SWEATT	<a href="mailto:dina.sweatt@groveland-fl.gov">dina.sweatt@groveland-fl.gov</a>
COUNCIL MEMBER	RANDOLPH WAITE	<a href="mailto:randolph.waite@groveland-fl.gov">randolph.waite@groveland-fl.gov</a>
CITY MANAGER	MICHAEL HEIN	<a href="mailto:michael.hein@groveland-fl.gov">michael.hein@groveland-fl.gov</a>
SERGEANT-AT-ARMS	CHIEF SHAWN RAMSEY	<a href="mailto:shawn.ramsey@groveland-fl.gov">shawn.ramsey@groveland-fl.gov</a>
CITY CLERK	VIRGINIA WRIGHT	<a href="mailto:virginia.wright@groveland-fl.gov">virginia.wright@groveland-fl.gov</a>
CITY ATTORNEY	ANITA GERACI-CARVER, ESQ	

**Please note:** Most written communication to or from government officials regarding government business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.

## **CALL TO ORDER**

## **PLEDGE OF CONDUCT**

- **We may disagree, but we will be respectful of one another.**
- **We will direct all comments to issues.**
- **We will avoid personal attacks.**
- **Audience members wishing to speak must be recognized by the Mayor.**
- **Speaking without being recognized will be considered "Out of Order."**

## **OPENING CEREMONIES**

- a. Pledge of Allegiance
- b. Invocation

## **ROLL CALL**

## **AGENDA**

## **GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS**

None.

## **CONSENT AGENDA**

*Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Council Member, staff member or member of the public wishes to discuss any item on the Consent Agenda, they can request the item be removed from the Consent Agenda for discussion. The remaining items on the Consent Agenda will be voted on with one motion being made for all items on the Consent Agenda. Then the item removed from the Consent Agenda will be separately considered and voted on.*

## Consideration of Approval:

**A. September 8, 2020 First Public Budget Hearing Minutes**

**B. September 8, 2020 City Council Meeting Minutes**

**C. Resolution 2020-46: Assignment Letter BESH Inc. Agreement to Halff Associates, Inc.**

A Resolution of the City Council of the City of Groveland, Florida, approving the assignment letter consenting to the assignment of Continuing Services Agreement dated February 6, 2019, from BESH, Inc. to Halff Associates, Inc. for engineering services; authorizing the City Manager to execute the agreement; providing for an effective date.

*Authorization of the Mayor to sign a letter on behalf of the City Council to the Lake County Board of County Commissioners supporting the use of local funds for the development of regional trail projects.*

**D. Resolution 2020-47: Franchise Agreement with WCA of Florida, LLC for RFP 20-006 Commercial Solid Waste Collection Services**

A resolution of the City Council of the City of Groveland, Florida, approving the franchise agreement between the City of Groveland and WCA of Florida, LLC issued pursuant to request for proposals 20-006, commercial solid waste collection services; authorizing the Mayor to execute the agreement; providing for an effective date.

**E. Resolution 2020-48: Adoption of Fee Schedule for Commercial Solid Waste**

A resolution of the City Council of the City of Groveland, Florida, adopting a fee schedule for commercial solid waste and recycling; repealing any fees in conflict herewith; and providing for an effective date.

**F. Resolution 2020-49: Interlocal Agreement with Lake County for CARES Act Funding**

A resolution of the City Council of the City of Groveland, Florida, approving the Interlocal Agreement between the City of Groveland and Lake County for disbursement of CARES Act Funding; authorizing execution of the agreement; providing for an effective date.

**G. Indigo Lakes PUD Denial Letter**

This application was heard on September 8, 2020, before the City Council of the City of Groveland ("City Council"). In accordance with §166.033, Florida Statutes, the City of Groveland provides written notice of denial of Indigo Land Groveland LLC's application to amend an existing mixed use PUD zoning Ordinance 2006-08-67.

*A request to approve Indigo Lakes PUD denial letter.*

**H. Authorization of the Mayor to sign a letter on behalf of the City Council to the Lake County Board of County Commissioners supporting the use of local funds for the development of regional trail projects.**

Letter of support of regional trails from the City Council to the Lake County Board of County Commissioners (BCC) in advance of an October 13 presentation the BCC will receive on regional trails.



## **OLD BUSINESS**

### **1. Consideration of Approval: Ordinance 2020-30: Community Development Code – Second Reading**

An Ordinance of the City of Groveland, County of Lake, State of Florida, amending Chapters in Subpart B of the Code of Ordinances known as the Land Use Development Regulations; adopting a new Zoning Code and Zoning Map; repealing Chapters 101, 49, and 153; repealing Articles I, II, and III in Chapter 137, as well as Articles I, II, and III in Chapter 145; retaining appendix a- fee schedule; providing for conflicts, codification and severability; providing for an effective date.

*A request to amend the City of Groveland's new Community Development Code.*

## **NEW BUSINESS**

None.

## **PUBLIC COMMENT**

## **REPORTS**

- a. Council Member Reports
- b. City Manager Report
- c. City Attorney Report

## **ADJOURNMENT**

***Groveland Code of Ordinances Sec. 2-58 (f).*** Any person desiring to address the Council shall first secure the permission of the presiding officer and shall give his name and address for the record. All remarks shall be addressed to the Council as a body and not to any member thereof unless permission to do so is first granted by the presiding officer. Unless further time is granted by the presiding officer or the council, member of the public shall limit their discussion or address to no more than five minutes. No question shall be asked a council member or city official except through the presiding officer.

*If your address is exempt from public record you are not required to state it. In addition, do not give out your Social Security Number, phone number, email address or any other information you do not want others to have access to as the meetings are recorded and those recordings are considered public record.*

***Pursuant to the provisions of Chap. 286, F.S., Sec. 286.0105,*** if a person decides to appeal any decision made by this body with respect to any matter considered at this meeting, he or she will need a record of the proceedings, and that for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based and is advised to make such arrangements at his or her own expense.

***\*In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute,*** persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office no later than 72 hours in advance of the meeting at (352) 429-2141, ext. 2014; (352) 232-9057 or via email at [virginia.wright@groveland-fl.gov](mailto:virginia.wright@groveland-fl.gov)

# **CONSENT AGENDA**

**City of Groveland  
Minutes  
First Public Budget Hearing of the City Council  
Tuesday, September 08, 2020**

The Groveland City Council held a First Public Budget Hearing on Tuesday, September 08, 2020 at 6:30 p.m. that was held using telephonic video conferencing in order to reduce public gatherings and the spread of COVID-19, as authorized by Governor DeSantis in Executive Order 20-69. The public was able to attend the virtual meeting. Instructions to participate were posted to the City's website under "Public Notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov) and at City Hall in the display board.

Mayor Evelyn Wilson called the meeting to order at 6:30 p.m. with the following members present: Vice Mayor Mike Radzik and Council Members Mike Smith, Dina Sweatt and Randolph Waite. City officials present were City Manager Mike Hein, City Clerk Virginia Wright, Sergeant-at-Arms Chief Shawn Ramsey and City Attorney Anita Geraci-Carver.

Mayor Wilson read the following into the record: *Pursuant to Executive Order No. 20-69, issued by Governor DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location. Further, municipalities may utilize telephonic or video conferencing to hold public meetings.*

*Thank you for joining us for the First Public Budget Hearing of the City Council being held through the Zoom platform. On behalf of myself, all council members and staff we hope you and your families are well.*

*All votes will be received by roll call vote. For council member discussion I will call on each member individually to avoid members talking over one another. If you wish to speak again after your initial comments or have additional questions, please click on "Raise Hand" so you can be recognized.*

*We will be taking public comment during the meeting. The procedures for public participation will be explained by the City Attorney shortly.*

Mayor Wilson noted a quorum was present. She asked City Attorney Geraci-Carver to explain the procedures for public participation and public comment.

City Attorney Geraci-Carver read the following procedures for public participation and public comment into the record:

*Public notice of this meeting was provided on the City's website and posted at City Hall. The public notice included directions for how members of the public can participate. Option 1: The public can join the Zoom meeting remotely using a computer to watch and listen to the meeting. Option 2: The public can call into the meeting on their telephone and listen to the meeting. Option 3: The public can participate in person by attending the*

## SEPTEMBER 8, 2020 FIRST PUBLIC BUDGET HEARING MINUTES

*virtual meeting that is being held in the Puryear Building located at 243 S. Lake Avenue, Groveland, FL 34736. The Mayor and City Council will be participating virtually. Regardless of which option, all attendees from the public are added in listen-mode only.*

*The notice also provided direction for members of the public who need special accommodation to participate in the meeting in accordance with the ADA to contact the City Clerk not later than 3 business days before the meeting.*

*The public has been given the opportunity to submit public comments in advance of the meeting by e-mailing the City Clerk. Public comments received before 3 p.m. on the meeting date have been shared with the City Council prior to this evening's meeting. The Clerk will read the comments into the record during the meeting. Any public comments received after 3 p.m. will be shared with the City Council after the meeting and will be retained as a public record. Or those members of the public participating via Zoom online, telephonically, or in person will be given the opportunity to speak during the Public Comment portion of the meeting. For those individuals participating via online or telephonically who desire to make public comment, telephone number (352) 534-1753 was provided in the public notice with instructions to text their name and telephone number in order to speak. Those who are participating online will need to ensure their name and/or telephone number are reflected as their screen name so that IT may identify them to allow for comment. The Clerk's Office will announce the name and/or the telephone number of the person desiring to make public comment and the Mayor will then call upon each person. We will begin public comment with written communication and proceed with those present in the Puryear Building, followed by those participating electronically or telephonically. The City Clerk's Office will identify the next speaker.*

*All persons desiring to make public comment are required to provide their name and address for the record, regardless of the option in which they have selected to participate in the meeting.*

*The Public Comment portion of the meeting has been moved up on the agenda to be received after Roll Call. At that time the Clerk will read the public comments into the record. Comments will be limited to 3 minutes per person.*

*This concludes the public notice and public participation instructions.*

### **PUBLIC COMMENT**

City Clerk Wright reported there were no emails submitted for public.

Ciara Bender, Assistant to the City Clerk, reported there were no public comments from those members of the public who may have attended the meeting physically in the Puryear Building; nor were there any public comments from those members of the public who attended the meeting virtually or telephonically.



**NEW BUSINESS**

**1. Consideration of Adoption: Ordinance 2020-34 FY2021 Millage Rate – First Reading**

An ordinance adopting a millage rate of 5.2000 per \$1,000 valuation for regular ad valorem taxes to be levied during the fiscal year of the City of Groveland, Florida from October 1, 2020 through September 30, 2021 and providing for an effective date.

City Clerk Wright read the headnote for Ordinance 2020-34 into the record.

City Manager Hein thanked Finance Director John Ter Louw and staff for all of their efforts on the budget. Mr. Hein stated the budget has improved greatly from the 2018 version available in his first year with the City. He noted the document is compliant with Government Finance Officers Association (GFOA) models allowing it to be measured from a performance stand point, as well in comparison to other government entities.

**Motion:** Councilwoman Sweatt moved to adopt Ordinance 2020-34 FY 2021 Millage Rate of 5.2000 per \$1,000 valuation for regular ad valorem taxes to be levied during the fiscal year of the City of Groveland, Florida from October 1, 2020 through September 30, 2021 and providing for an effective date; seconded by Vice Mayor Radzik.

Motion passed with all Council Members present voting aye.

Vice Mayor Radzik recognized Mr. Ter Louw and his staff for the great job on the budget. Vice Mayor Radzik stated he liked the way in which the budget was presented. He was pleased that the \$4.5 million in General Fund for Public Safety Complex loan will be paid via Fire and Police Impact Fees, and not through ad valorem taxes. Vice Mayor Radzik noted it is important to know the FDA loans are also paid out of the Enterprise Fund and not through ad valorem taxes.

Council Member Smith thank Mr. Ter Louw and his staff for a great job on a budget that maintains the millage rate. Mayor Wilson echoed Council Member Smith's comments a job well done.

**2. Consideration of Adoption: Ordinance 2020-35 FY2021 Budget – First Reading**

An ordinance adopting a budget for the City of Groveland, Florida from October 2020 through September 30, 2021 and providing for an effective date.

SEPTEMBER 8, 2020 FIRST PUBLIC BUDGET HEARING MINUTES

City Clerk Wright read the headnote for Ordinance 2020-35 into the record.

**Motion:** Vice Mayor Radzik moved to adopt Ordinance 2020-35 a budget for the City of Groveland, Florida from October 2020 through September 30, 2021 and providing for an effective date; seconded by Council Member Smith.

Motion passed with all Council Members present voting aye.

Mayor Wilson and all council members thanked Mr. Ter Louw and his staff for the excellent job on the budget.

**ADJOURNMENT**

Mayor Wilson adjourned the meeting at 6:49 p.m.



---

Evelyn Wilson, Mayor

Attest:

-----  
Virginia Wright, City Clerk

**City of Groveland  
Minutes  
City Council Meeting  
Tuesday, September 08, 2020**

The Groveland City Council held a regular City Council Meeting on Tuesday, September 08, 2020 at 7:00 p.m. that was held using telephonic video conferencing in order to reduce public gatherings and the spread of COVID-19, as authorized by Governor DeSantis in Executive Order 20-69. The public was able to attend the virtual meeting. Instructions to participate were posted to the City's website under "Public Notices" at [www.groveland-fl.gov](http://www.groveland-fl.gov) and at City Hall in the display board.

Mayor Wilson called the meeting to order at 7:00 p.m. with the following members present: Vice Mayor Mike Radzik and Council Members Mike Smith, Dina Sweatt and Randolph Waite. City officials present were City Manager Mike Hein, City Clerk Virginia Wright, Sergeant-at-Arms Chief Shawn Ramsey and City Attorney Anita Geraci-Carver.

Mayor Wilson read the following into the record: *Pursuant to Executive Order No. 20-69, issued by Governor DeSantis on March 20, 2020, municipalities may conduct meetings of their governing boards without having a quorum of its members present physically or at any specific location. Further, municipalities may utilize telephonic or video conferencing to hold public meetings.*

*Thank you for joining us for the City's Council meeting being held through the Zoom platform. On behalf of myself, all board members and staff we hope you and your families are well.*

*All votes will be received by roll call vote. For council member discussion I will call on each member individually to avoid members talking over one another. If you wish to speak again after your initial comments or have additional questions, please click on "Raise Hand" so you can be recognized.*

*We will be taking public comment during the meeting. The procedures for public participation will be explained by the City Attorney shortly.*

Mayor Wilson noted a quorum was present.

**OPENING CEREMONIES**

- a. Pledge of Allegiance led by Vice Mayor Radzik.
- b. Invocation provided by Mayor Wilson.

City Attorney Geraci-Carver read the following into the record: *Public notice of this meeting was provided on the City's website and posted at City Hall. The public notice included directions for how members of the public can participate. The public has the*

## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*option to join the Zoom meeting remotely using a computer to watch and listen to the meeting. Or the public can call into the meeting on their telephone and listen to the meeting. Regardless of which option, all attendees from the public are added in listen-mode only.*

*The notice also provided direction for members of the public who need special accommodation to participate in the meeting in accordance with the ADA to contact the City Clerk not later than 3 business days before the meeting.*

*The public has been given the opportunity to submit public comments in advance of the meeting by e-mailing the City Clerk. Public comments received before 3 p.m. on the meeting date have been shared with the City Council prior to this evening's meeting. The Clerk will read the comments into the record during the meeting. Any public comments received after 3 p.m. will be shared with the City Council after the meeting and will be retained as a public record.*

*The Public Comment portion of the meeting has been moved up on the agenda to be received prior to the Consent Agenda. At that time the Clerk will read the public comments into the record. Comments will be limited to five minutes per person.*

*This concludes the public notice and public participation instructions*

### **GUEST SPEAKER, PRESENTATIONS AND PROCLAMATIONS**

Police Chief Shawn Ramsey recognized Officer Sean Bauders as the Officer of the Quarter. Chief Ramsey reported recently Officer Bauders observed a burglary at the Solar Farm near the Trilogy subdivision and due to the quick actions of the Officer Bauders, all of the stolen items were recovered and the perpetrators were arrested. Chief Ramsey noted this is the second time Officer Bauders has received recognition as the Officer of the Quarter.

Fire Chief Kevin Carroll provided a presentation of new employees joining the Fire Department, realignment of positions, and the welcoming of a current employee joining the Fire Department. Erich Thiemann was recently hired as the Deputy Fire Chief and Frank Patterson was recently hired as the Fire Inspector and Fire Plans Examiner. Fire Captains Steve Smith and Josh Walsh job titles were realigned to Division Chiefs. Lisa Riffle was welcomed to the Fire Department assuming the position of Community Liaison Coordinator.

Chief Carroll was very pleased to have the new employees onboard, as well as current employees serving in capacities as noted.

### **PUBLIC COMMENT**

City Clerk Wright reported three (3) emails had been received for public comment. Emails received were from Lowrie Brown; Marty Proctor, and Tim Loucks regarding agenda item 1. Consideration of Approval: Ordinance 2019-55 Indigo Lakes PUD Amendment - First



SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

Reading. City Clerk Wright read the emails into the record. (NOTE: The emails are attached to these minutes as part of the record)

**CONSENT AGENDA**

**A. July 27, 2020 Special City Council Meeting Minutes**

**B. August 10, 2020 Special City Council Meeting Minutes**

**C. August 11, 2020 Special City Council Meeting Minutes**

**D. Ordinance 2020-10: SECO Comprehensive Plan Amendment - Second Reading**

An Ordinance of the City Council of the City of Groveland, Lake County, Florida, amending the City of Groveland's Comprehensive Plan pursuant to 163.3187(1), Florida Statutes, by amending the Comprehensive Land Use Plan designation from City of Groveland Agriculture to City of Groveland Public/Institutional on the Future Land Use Map for the herein described properties of 10 or less acres of land; authorizing the city manager to amend said Comprehensive Plan; repealing all ordinances in conflict herewith; providing for severability and scrivener's errors; providing for an effective date; and providing for the forwarding of this Ordinance to the State of Florida Department of Economic Opportunity.

*A request to amend the future land use designation from City of Groveland Agriculture to City of Groveland Public/Institutional of property owned by Charles E. Bradshaw, Jr. Revocable Trust. The property consists of 5.5+/- acres, generally located on the south side of Sampey Road, northeast of N. Main Avenue.*

**E. Ordinance 2020-11: SECO Rezoning - Second Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, to change the zoning from City of Groveland Agriculture to City of Groveland Utilities District for the herein described property owned by the Charles E. Bradshaw, Jr. Revocable Trust dated May 26, 2000 and located north of SR 50 and south of Sampey Road; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for scrivener's errors and severability; repealing all Ordinances in conflict herewith; and providing for an effective date.

*A request to rezone a 5.5 +/- acre parcel from City of Groveland Agriculture to City of Groveland Utilities District on the south side of Sampey Road, northeast of N. Main Avenue.*

**F. Ordinance 2020-32: Amending Sewer Use Ordinance - Second Reading**

An ordinance of the City of Groveland, County of Lake, State of Florida, amending Chapter 78 of the Groveland Code of Ordinances to include regulations requiring food service establishments, as defined herein, that are users of the City of Groveland's wastewater utility to have a grease trap or interceptor; prohibiting the introduction of fats, oils and greases into the City's wastewater utility; requiring inspection and sampling; providing definitions; providing for enforcement and penalties; providing for conflicts, codification and severability; providing for an effective date.

**G. Ordinance 2020-33: Creation of a Surplus Property Disposal Policy - Second Reading**

An ordinance of the City Council of the City of Groveland, Florida, creating a policy governing the sale, transfer, or other means of disposal of surplus property; providing for delegated authority of procedures of disposal of surplus city-owned property; providing for a policy for removal of assets from inventory; providing for an effective date.

**H. Resolution 2020-44: State Revolving Loan Program Application for planning funds towards Capital Improvements to the City's Clean Water System**

A resolution of the City Council of the of Groveland, Lake County, Florida, approving the loan agreement issued pursuant to the state revolving fund loan program; applying for a loan in the amount of \$520,000 payable over a 20 year period for planning funds for clean water capital projects (designated as project cw-35061); designating authorized representatives; providing for conflicts, severability, and effective date.

City Clerk Wright read the following headnotes into the record:

Ordinance 2020-10; Ordinance 2020-11; Ordinance 2020-32; Ordinance 2020-33; and Resolution 2020-44.

**Motion:** Council Member Smith moved to approve the Consent Agenda; seconded by Council Member Waite.

Motion passed with all Council Members present voting aye.

**OLD BUSINESS**

**1. Consideration of Approval on Ordinance 2019-55: Indigo Lakes PUD Amendment - Second Reading**

An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, Amending Restating, and Replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the

## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

City Manager to amend the zoning map as herein provided after the passage of this Ordinance; providing for severability; repealing all Ordinances in conflict herewith; and providing for an effective date.

*A request to amend PUD Ordinance 2006-08-67, affecting 162.76 +/- acres of vacant property with a Future Land Use designation of City of Groveland Mixed Use and a Zoning designation of Planned Unit Development (PUD). The subject property is located on the east side of Villa City Road, west of Lake Lucy in the City of Groveland.*

City Clerk Wright read Ordinance 2019-55 headnote into the record.

Mayor Wilson reported this is a quasi-judicial hearing. Therefore, any council member that has had any ex-parte communication relating to this item would need to disclose those communications. For oral or written communications, you must disclose who you've spoken to and the substance of the information, or provide a copy of the written communication at this time. If you visited the property or researched a particular issue relating this project, then you must disclose it and the substance of your findings.

Mayor Wilson inquired if anyone had ex-parte communications that they needed to disclose. Mayor Wilson and all Council Members present reported they had no additional ex-parte communications to disclose as any ex-parte communications had been disclosed at the August 24, 2020 Special City Council Meeting as follows:

*Mayor Wilson asked if any council members had any ex-parte communications they would need to disclose that information.*

*Council Member Smith reported on January 30<sup>th</sup> he attended a meeting with Kyle Sanders Greg Clark, and the Community Development staff members where the applicant presented a concept of what the project would look like. Also, on March 26<sup>th</sup> and June 1<sup>st</sup> the same attendees met via teleconference regarding layout design and construction. Council Member Smith noted he made a visit to view the property in late January/early February.*

*Vice Mayor Radzik reported he did not have specific dates however, he had two meetings that were held at City Hall with Attorney Jimmy Crawford, Mr. Sanders and another individual. Vice Mayor Radzik also participated in telephone calls with Mr. Crawford. He noted the project site can be viewed from his backyard.*

*Council Member Waite reported he did not have specific dates, however, he had two meetings that were held at City Hall with Mr. Crawford, Mr. Clark and Mr. Sanders. Council Member Waite also made a visit to the proposed property.*

*Councilwoman Sweatt reported she met with applicants a long time ago and has not met regarding the project since.*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*Mayor Wilson stated she attended the same meetings as Council Member Smith in January/February. She reported she was copied on a letter sent from Attorney Crawford to Mr. Maslow.*

Community Development Director Tim Maslow stated he had not further presentation for the proposed Ordinance 2019-55 Indigo Lakes PUD Amendment and he would be happy to answer any questions Council may have.

Jimmy Crawford, attorney for the applicant representing Indigo Land Groveland, LLC, requested to incorporate the records from the previous August 24, 2020 Special City Council Meeting into the meeting minutes.

*NOTE: The minutes record from the August 24, 2020 Special City Council Meeting included the February 18, 2020 comments/record regarding Indigo Lakes PUD Amendment and is as follows in red text below:*

### **NEW BUSINESS**

#### **1. Consideration of Approval: Ordinance 2019-55: Indigo Lakes PUD Amendment - First Reading**

*An Ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, Amending Restating, and Replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; and providing for an effective date.*

*A request to amend PUD Ordinance 2006-08-67, affecting 162.76 +/- acres of vacant property with a Future Land Use designation of City of Groveland Mixed Use and a Zoning designation of Planned Unit Development (PUD). The subject property is located on the east side of Villa City Road, west of Lake Lucy in the City of Groveland.*

*City Clerk Wright read the headnote for Ordinance 2019-55 into the record.*

*Mayor Wilson read the following into the record: This is a quasi-judicial hearing. Therefore, any council member that has had any ex-parte communication relating to this item will need to disclose those communications. For oral or written communications, you must disclose who you've spoken to and the substance of the information, or provide a copy of the written communication at this time. If you visited the property or researched a particular issue relating this project, then you must disclose it and the substance of your findings.*

*Mayor Wilson asked if any council members had any ex-parte communications they would need to disclose that information.*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

Council Member Smith reported on January 30<sup>th</sup> he attended a meeting with Kyle Sanders Greg Clark, and the Community Development staff members where the applicant presented a concept of what the project would look like. Also, on March 26<sup>th</sup> and June 1<sup>st</sup> the same attendees met via teleconference regarding layout design and construction. Council Member Smith noted he made a visit to view the property in late January/early February.

Vice Mayor Radzik reported he did not have specific dates however, he had two meetings that were held at City Hall with Attorney Jimmy Crawford, Mr. Sanders and another individual. Vice Mayor Radzik also participated in telephone calls with Mr. Crawford. He noted the project site can be viewed from his backyard.

Council Member Waite reported he did not have specific dates, however, he had two meetings that were held at City Hall with Mr. Crawford, Mr. Clark and Mr. Sanders. Council Member Waite also made a visit to the proposed property.

Councilwoman Sweatt reported she met with applicants a long time ago and has not met regarding the project since.

Mayor Wilson stated she attended the same meetings as Council Member Smith in January/February. She reported she was copied on a letter sent from Attorney Crawford to Mr. Maslow.

Mayor Wilson requested Mr. Maslow to provide his presentation.

Mr. Maslow provided a PowerPoint presentation for the Indigo Lakes PUD as follows:

- Location
  - Existing FLU: Mixed Use
  - Existing Zoning: PUD
  - 162.76 +/- Acres
- Timeline
  - Existing PUD Ordinance Adopted – 2006
  - Application received – 2019
  - Two work session with P & Z
  - P & Z voted 3-2 recommending denial – January 16, 2020
  - City Council voted 4-1 to send back to P & Z – February 18, 2020
  - P & Z voted 5-2 recommending approval w/conditions – March 5, 2020
  - Council 1<sup>st</sup> Reading – Today
- Conditions
  - Approval of Ordinance 2019-55 with the following conditions:
    1. Construction Plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit.



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

2. *The architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval. Buildings which have already received P & Z's approval do not require additional reviews.*

- *Current PUD and proposed PUD information as follows:*

*residential - total dwelling units allowed; commercial acres – commercial square footage; open space; lighting; sidewalks and trails; architectural standards; Villa City Road landscape buffer; connectivity; recreation; housing types; single family residential setbacks; community facilities; mix of uses and pedestrian amenities.*

- *Estimate Lot Counts*
  - *Phase 1, 2, and 3.*

*Mayor Wilson requested the applicant to present.*

*Jimmy Crawford, the attorney for the applicant representing Indigo Land Groveland, LLC, provided an overview of the project. Mr. Crawford introduced Greg Clark as the principle. Mr. Crawford requested the record from the previous public hearing (February 18, 2020 City Council Meeting) be incorporated into this meeting. The record from said meeting is as follows:*

### **NEW BUSINESS**

#### **1. Consideration of Approval: Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading**

*An ordinance of the City Council of the City of Groveland, County of Lake, State of Florida, amending restating, and replacing in its entirety Ordinance 2006-08-67, for the herein described property owned by Indigo Land Groveland LLC, and located at 17200 Villa City Road, Groveland, Lake County, Florida; directing the City Manager to amend the zoning map as herein provided after the passage of this ordinance; providing for severability; repealing all ordinances in conflict herewith; and providing for an effective date.*

- *Community Development Staff recommended approval of Ordinance 2019-55 with conditions.*
- *P&Z Board Members voted a 3 to 2 denial of Ordinance 2019-55.*

**Motion:** *Council Member Smith moved to table Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading, and refer back to the Planning & Zoning Board for further review, and bring back to the March 16, 2020 City Council Meeting.*

*The motion died on the floor.*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*Mayor Wilson stated this is a public hearing for Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading. Mayor Wilson requested the City Clerk read the title of the Ordinance and confirm compliance with advertising and notice requirements.*

*City Clerk Wright read Ordinance 2019-55 headnote into the record and confirmed the advertising and notice requirements were met as the record includes documentation to that effect.*

*City Attorney Anita-Geraci read the following into the record: The City Council serves both a legislative and quasi-judicial role. When acting as a legislative body, the Council engages in law- making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Council applies those laws and policies, and is held to stricter procedural requirements. Quasi- judicial proceedings are less formal than proceedings before a circuit court, but are more formal than the normal Council meeting. Quasi-judicial proceedings must follow basic standards of notice and due process, and decisions must be made based on competent substantial evidence. Therefore, Council has a duty to conduct the quasi-judicial proceedings more like judges than legislatures. That is why the Council has established the uniform procedures for quasi-judicial hearings that will be followed this evening.*

*Mayor Wilson stated at this time, if any Council member has a conflict of interest that would prohibit them from voting on this item, please disclose this for the record, complete the required voting conflict form, and provide it to the City Clerk.*

*There was no conflict of interest was reported.*

*Mayor Wilson stated at this time, any ex-parte communications should either be disclosed by identifying the subject of the communication and the identity of the person, group, or entity with whom the communication took place or any correspondence be provided to the City Clerk and made a part of the public record. In addition, each member of the City Council may identify the existence of any investigations or site visits he or she has conducted, or any expert opinions received.*

*Each member of the Council stated they met with the project applicants and attorney Jimmy Crawford; as well as with Marty Proctor and Lowrie Brown.*

*Vice Mayor Radzik noted that he was aware of the project since 2006. The project site can be seen from Vice Mayor Radzik's back yard. He also stated he has knowledge of the original PUD.*

*Mayor Wilson proceeded with the hearing on this matter. She requested the City Clerk to swear- in the witnesses.*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*City Clerk Wright asked that anyone wishing to speak on this item, please stand and raise your right hand and to swear or affirm to tell the truth, the whole truth, and nothing but the truth.*

*City Clerk Wright requested those wishing to speak to, please state their name clearly for the record and whether or not they have been sworn in.*

*Mayor Wilson stated the City's staff will now provide a presentation on this matter. She noted staff would have a maximum of 20 minutes, excluding any cross-examination or questions from the Council.*

*Community Development Director Tim Maslow reported on Ordinance 2019-55 Indigo Lakes PUD Amendment. The City received an application from the property owner requesting to update and amend the PUD Ordinance 2006-08-67 affecting 162.76 +/- acres of vacant property with a Future Land Use Designation of City of Groveland Mixed Use and a zoning designation of Planned Unit Development. The subject property is located on the east side of Villa City Road west of Lake Lucy in the City of Groveland.*

*The applicant requested to amend the current PUD to allow for additional single family residential lots with reduced setbacks and changes to other development standards.*

*Mr. Maslow reported work sessions had been held in which a lot of work went into this project. The Planning and Zoning Board was significantly involved.*

*Mr. Maslow reported the existing PUD is to provide for improvements from both the Applicant's perspective and the City's.*

*Mr. Maslow provided a PowerPoint presentation as follows:*

- *Draft of the Future Land Use Map denoting: Town, Village, Hamlet, Established Neighborhood, Special District, Agriculture, Nature.*
- *The original PUD was adopted in 2006 Conceptual Plan Versions 1, 2, 3, 4, and 5*
- *Planning & Zoning Board*
- *Two work sessions*
- *2-3 vote (recommended denial)*
- *Concerns:*
  - *Monotonous housing with no diversity of housing types*
  - *Narrow lot widths of 40 and 50 feet*
  - *Side yard setbacks of 5 feet*
  - *Front loaded garages that dominate the facades of homes*
  - *Not enough mixed use (multi-family/commercial)*
- *Staff Report - Comparison Table*
  - *Land Use*
  - *Transportation*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

- Open Space
- Miscellaneous
- Land Use Table
- Land Use
- Sub-zones
- Transportation
- Block Configuration
- Street Types
- Open Space
- Open Space Types
- Miscellaneous

Mayor Wilson inquired of the City Attorney, if there were any party interveners in this case. City Attorney reported to her knowledge there were no interveners.

Council Member Smith inquired as to how the original PUD consisted of 44 acres of wetland and the proposed amendment only consists of 16.2 acres of wetland. Mr. Maslow reported the numbers were based on information received from the applicants and have not been confirmed.

Council Member Smith also asked if the amendment would meet the new Future Land Use requirements in terms of density. Mr. Maslow stated the new Future Land Use has not been adopted as of yet. However, staff is working with applicants to ensure projects are reasonably within scope.

Mayor Wilson stated the application may now conduct cross-examination of staff.

Attorney Jimmy Crawford stated the applicants have cooperated with staff in regards to PUD amendments that would be more compliant with the proposed Comprehensive Plan Amendment. As the original PUD allows for up to 566 units, the developers are requesting less intensity via a 120 unit reduction. He also noted the 44 acres of wetlands were still there. Under the old PUD the entire 44 acres were used to meet the open space requirement. With the proposed Comp Plan this would change only 16 acres of wetland that can be used towards the open space requirement.

Mayor Wilson stated the Applicant would now make its presentation on this matter. Applicant has a maximum of 20 minutes, excluding any cross-examination or questions from the Council.

Indigo Lakes' applicant, Greg Parks provided a PowerPoint presentation showing an overview of the proposed project. Indigo Lakes is located along Villa City Road on Lake Lucy. The development consists of 113 acres, giving a maximum of 452 units. The native landscape is a defining element throughout the project. As the lake view at the hilltop displays Groveland's "The City with Natural Charm" mote perfectly. Additional upgrades from the current PUD include an over-sized Villa City buffer, a



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*tree preserve, dedicated on-street parking spaces on both sides of the road, and a trail system.*

*Indigo Lakes' applicant, Kyle Sanders continued the presentation, providing more details about the amenity center, parks & open space, trails and overlooks, streetscapes, and home elevations.*

*Vice Mayor Radzik inquired as to the relationship of the applicants to the project. The applicants advised they have a contract to purchase the property from the current owner, Indigo Land Groveland, LLC.*

*Council Member Smith stated he noted discrepancies between the old and proposed PUD in terms of acreage and units allowed.*

*Council Member Smith inquired as to how many acres were set aside for Saint Johns River Water Management District (SJRWMD) stormwater run-off.*

*City Clerk Wright swore-in Tom Knight, project Engineer. Mr. Knight stated only preliminary drainage calculations have been done at this time. However, there are 16.88 acres designated for stormwater retention divided amongst several different types of open spaces. Mr. Knight noted some lots may need to be taken out if necessary, but all requirements would be met.*

*Mr. Crawford clarified the acreage discrepancy, noting on page 2 of the PUD ordinance states 160 +/- acres and on Exhibit A, the legal description reads as 162.756 acres.*

*Council Member Waite inquired as to the proposed two units of multi-family. Specifically, he asked why did we moved away from a larger percent of the multi-family homes. The Applicant stated due to the depth of the market and a demand for more single family homes, versus more density.*

*Council Member Waite inquired if this was affordable housing. Attorney Crawford stated legally the homes are not classified as affordable housing. However, they are entry level homes that would range from \$220 - \$230k.*

*Mayor Wilson stated any other member of the public who wishes to submit relevant information to the City Council may come forward and speak for a maximum of three minutes each. For each person that comes forward, please identify yourself and state whether or not you have been sworn in.*

### **Public Comment**

*Martin Taxson, a member of the Planning & Zoning Board, stated the applicants have been very cooperative in making the changes to PUD, but have not come far enough from the Board's perspective. As an example, the proposed 5' setbacks leave only 10' between homes. Mr. Taxson also reported the newer changes to the*



SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*proposed PUD had not been reviewed by the Planning and Zoning Board. He asked that the PUD be tabled or totally declined to allow the Planning and Zoning Board to review the changes in order to provide an informed recommendation.*

*Lowrie Brown expressed his concern for the proposed minimal setbacks. He reported the Planning & Zoning Board voted 3-2 against the PUD amendment. Mr. Brown suggested a transition area when going from lower density to higher density; and 6,000 sq. ft. lot minimums with side setbacks no less than 7.50'. In addition, lot coverages of 65% vs. 75% and 30% open space.*

*Debra Casey was sworn-in by City Clerk Wright. Ms. Casey agreed with Mr. Brown in regards to providing more of a transition when switching from low to high density. She reported Villa City Road traffic has gotten worse, despite resident complaints. Ms. Casey recommends designs similar to surrounding sub-divisions Blue Herron or Ranch Club.*

*Marty Proctor referenced the legend map that he felt were discrepancies with the overall Master Plan. He stated the map depicted a lake where there is instead marsh land.*

*Mr. Proctor also expressed concern stating the PUD was not clearly worded nor specific to allow for enforceability.*

**RECESS at 9:10 p.m.**

**RECONVENE at 9:27 p.m.**

*Mr. Crawford, in an effort to address neighbors' concerns, stated the current PUD allows for 5' setbacks on 30 percent of the lots, and up to 565 lots. He noted the proposed PUD reduced units, as well as commercial space from the current PUD. Mr. Crawford reported there have been 6 - 7 versions of the PUD worked on with staff and the City Attorney. He felt the PUD Amendment is enforceable and viable.*

*Vice Mayor Radzik requested clarification of 580 units going to 462. Tim Maslow clarified the units represented a bonus affordable housing incentive.*

*Ma or Wilson requested the applicant and staff to make final comments.*

*Mr. Maslow stated he had no additional comments.*

*Mayor Wilson inquired if Council had any questions for staff, the Applicant or anyone who has spoken on the item.*

*Council Member Smith asked City Attorney Geraci-Carver for clarification if there is an existing PUD is it enforceable. City Attorney Geraci-Carver stated the developers could get the density bonus if they chose to build affordable housing.*



SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*Mayor Wilson proceeded with comments and deliberation by Council.*

**Motion:** *Council Member Smith moved to table Ordinance 2019-55 Indigo Lakes PUD Amendment - First Reading, and refer back to the Planning & Zoning Board for further review, and bring back to the March 16, 2020 City Council Meeting; seconded by Councilwoman Sweatt.*

*Vice Mayor Radzik requested clarification regarding the appropriateness of referring the item back to the Planning & Zoning Board. If appropriate, what criteria should the decision be based upon. City Manager Hein stated it is at Council's discretion as the governing body.*

*Council Member Smith felt the item should go back before the Planning and Zoning Board to ensure the concerns they brought up in their last review were satisfactorily addressed by the applicant.*

*Councilwoman Sweatt stated she agreed with Council Member Smith to allow the Planning & Zoning Board to further review all of the changes.*

*Council Member Waite inquired if the PUD would come back to Council as the same product. City Manager Hein stated there could be the same recommendation or modifications.*

*Vice Mayor Radzik stated to reflect on what stood out the most, which was the 40 ft. - 50 ft. lots. He noted if the PUD goes back to the Planning & Zoning Board for further review it would not be received any differently than previously. Therefore, Vice Mayor Radzik did not see a point in sending it back to the Planning & Zoning Board.*

*Mayor Wilson asked when the next Planning and Zoning Board Meeting would be held. Mr. Maslow stated Thursday, March 5th•*

**Public Comment:**

*Mr. Crawford stated it is common for the applicant to go before the planning body, receive the criticism from the planning body, make the necessary changes, and present those changes to the Council. He stated he doesn't believe he has ever had to return to the planning body to present said changes. Mr. Crawford felt it would present a delay for the development, when the main issue of the lots cannot be changed very much.*

*Martin Taxson stated he disagreed with Mr. Crawford, as the applicants could adjust the number of lots and setbacks.*

*Mr. Taxson felt this is an opportunity to do something better for Groveland.*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*Ms. Casey felt too many homes and too much traffic would affect her quality of life. She requested Council send the agenda item back to the Planning & Zoning Board for further review; and to wait 4 weeks for the new Future Land Use to go into effect.*

*The motion passed 4-1, with Vice Mayor Radzik voting nay.*

*Mr. Crawford referenced the public comment received by Council from Marty Proctor and noted this is a good way showcase some of the improvements the applicant has made in an effort to make the project acceptable to all parties. This included an elimination of all 40' lots and only using 5' setbacks on half the 45' lots. Regarding drainage issues, the applicant has added a provision on page 9 paragraph 3z to require asbuilt surveys on each lot prior to the certificate of occupancy being issued. This will allow the applicant and the City to be able to verify the lot grading has been built according to plans. Also, language has been added to stormwater design system to overtly require consistency with St. Johns River Water Management District (SJRWMD) and the City's regulations. It has been confirmed with Public Works Director T J Fish that there is sewer and water capacity for this project. Mr. Crawford noted the zoning doesn't grant capacity and external road improvements are mostly handled by the County. However, both the City's and the County's code call for these at the preliminary plat stage. Timing of amenities are required to be in place at least when 50% of homes are constructed, otherwise the next permit would be withheld. Mr. Crawford stated the PUD amendment contains updated details that are unlike and far surpassing than any other seen in Groveland. He felt the new plan would be much better than the old PUD. If it is not approved, the builders may be in a position to build from the original PUD and it would not have any of the new growth standards.*

*Mr. Crawford requested Council to please approve the Indigo Lakes PUD Amendment for Groveland's new vision.*

*Mr. Clark provided a PowerPoint presentation as follows:*

- *The Journey to Now:*
  - *In July 2019 the PUD consisted of 440 single family homes with 40', 50' and 60' lots. There was a commercial area at the north end. There was no connectivity or a city park.*
  - *In September 2019 the PUD changes consisted of moving some commercial to the entry way and increasing the lake lot sizes.*
  - *In November 2019 the PUD changes consisted of realigning the commercial to frame the entry way and adding midblock cut-throughs for walkability.*
  - *In March 2020 a trail system, a city park, and connections to Preserve at Sunrise and a northern neighbor were added to the PUD.*

*Mr. Clark pointed out that from the legend, you can locate the primary entrance, secondary entrance, tertiary entrance, amenity center, commercial area, Overlook Park,*



## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*mid-block connectors, the trail network, Lakeside Park, donated area, an 8' bike path, and a tree preservation. Most of which were not mandatory for the applicant to include.*

*Mr. Crawford shared memorandums addressed to Council, dated August 20, 2020, and August 24, 2020, subject: Indigo Lakes Amendment Request Comparison with City New Community Plan Checklist and Mike Smith Smart Growth Check List. Mr. Crawford noted he and his assistant had an idea to conduct a comparison of the existing PUD and the new PUD. He reported in conclusion he felt 20 of the 23 objectives were met by the applicants with the new PUD.*

**Motion:** *Council Member Smith moved to deny the approval of Ordinance 2019-55 Indigo Lakes PUD Amendment – First Reading; seconded by Vice Mayor Radzik.*

*Council Member Smith stated he appreciated the efforts of the applicant. However, he still found the change in percentage on setbacks not beneficial.*

*Vice Mayor Radzik stated he did not agree with the setbacks going down to 5', nor with the city park being located where the mansion had been previously. The HOA community would mostly be utilizing a city park with it being located within the proposed subdivision. There would also be people walking through the subdivision to use the park. Vice Mayor Radzik pointed out that there could be safety issues and parking issues that would fall onto the City. He felt the park would not be in the best interest of the City.*

*Council Member Waite stated the side setbacks are hard to overcome.*

*Councilwoman Sweatt agreed with all other council members' point of view.*

*Mayor Wilson agreed as well. She stated the 5' setback were an issue for her.*

*Mr. Crawford stated he spoke with his client who would limit the 5' setback to what was in the original PUD at 30% or 35%, if the Council would consider it.*

*Council Member Smith requested clarification that 70% of all lots, excluding the townhomes, would be 7.5' setbacks and 30% would be at the 5' setback.*

*Mr. Crawford stated yes; it would be 70-30%. This would change the number of units and would reduce the number of lots.*

*Council Member Smith inquired what the new ratio would be. Mr. Crawford offered to bring back to Council for a second reading.*

*City Attorney Geraci-Carver stated if the motion is denied for the Indigo Lakes PUD Amendment at today's meeting, the item could still be brought back for a second reading at a future City Council Meeting.*

*Vice Mayor Radzik asked for clarification that the amenities including parks would be completed at 50%. He also stated he would like to see the project completed without impact fee credits, as it is not known how those fees would be collected at this time.*



SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

*Council Member Smith stated the applicant should work with city staff to identify the various issues so they can be worked out.*

*City Manager Hein stated the item has already been advertised for the next meeting and it will be on the agenda. If the applicant is not ready the item can be continued at that time.*

*Motion passed with all Council Members present voting aye.*

Mr. Crawford stated the applicants are aware the Council is still not in favor of 5' setbacks. Due to this, the applicants have provided a provision to only allow 5' setbacks in 30 percent of lots. He noted this is the same in the original PUD. Mr. Crawford reported he received six (6) additional comments over the weekend from a council member; information as discussed is as follows:

1. The PUD plan lot layout (Exhibit B) didn't different the colors well between the 45'-wide lots and the 55'-wide lots to see if any 45' lots were along the exterior of development. Mr. Crawford stated all of the 45' lots would be interior, as well as all 5' setback lots.
2. Some repeat language needing to be cleaned-up. Mr. Crawford stated no other details were provided. When Mr. Crawford reviewed the document he was unable to locate any repeat language. However he reported he would be more than happy to make corrections where needed.
3. The council member wanted to be sure impact fee credits would be for park improvements only. Mr. Crawford verified impact fees would only be used for park improvements.
4. To add the language for one-side street parking only in the PUD. The developer is fine with the provision. City Attorney Geraci-Carver stated she would prefer the provision in a separate ordinance. Mr. Crawford proposed the provision be included both documents.
5. The proposed trails to be 8'-wide instead of 5'-wide. Mr. Crawford stated the applicant is agreeable to providing 8'-wide trails.
6. A request for mixed-use commercial areas to be constructed and completed by the end of Phase I. Mr. Crawford stated the request is not feasible, as applicants have no idea of what the market may dictate in terms of what to build. If built early and there is no market for what is built, the spaces will remain empty. Mr. Crawford noted the request has never been made to any other PUD and it is not a reasonable request.

Mr. Crawford offered to answer any questions Council may have.

**Motion:** Council Member Smith moved to deny the application by Indigo Land Groveland, LLC, to update and amend PUD Ordinance 2006-08-67 and that Ordinance 2019-55 not be approved; seconded by Council Member Waite.

Council Member Smith stated his motion was based on the loss of commercial space with the reduction from over 11 acres of commercial to 2.97 acres and the change from

## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

130,000 square feet of commercial footage down to a proposed 60,000 square foot; the introduction of the lots of less than 50' in width for a single family homes; increased number of homes with 5 foot setbacks (increased by 72 homes); and the elimination of multifamily housing.

Mayor Wilson inquired if Mr. Crawford had any closing remarks. Mr. Crawford stated he believes the entirety of the record supports the approval of the ordinance, as there have been no expert opinion of any inconsistencies with the amendment request. He stated if unsuccessful in the appeal process, what would be built is significantly sub-standard to what has been proposed in the amendment.

Vice Mayor Radzik stated his overall concern is the revision increases in single family homes to 328 upward from 52. Also, 78 lots would be 45'. Vice Mayor Radzik stated this was not in the original PUD and does not make for a charming development.

Vice Mayor Radzik recognized the efforts of staff who worked with the applicant.

Motion passed with all Council Members present voting aye.

### **NEW BUSINESS**

None.

### **REPORTS**

#### **Council Member Waite**

- Attended the August 31<sup>st</sup> CRA Budget Workshop.
- Thursday – had meeting with Mr. Maslow on Thursday.
- Thursday – had meeting with City Manager Hein.

#### **Council Member Smith**

- August 25<sup>th</sup> met with Woodard & Curran and Grey-Robinson regarding the waste water system.
- Attended the August 31<sup>st</sup> CRA Budget Workshop.
- Thursday – had meeting with Mr. Maslow on Thursday.

#### **Councilwoman Sweatt**

- Attended the August 31<sup>st</sup> CRA Budget Workshop.
- Telephone conference with David Barth/Barth & Associates regarding the Parks Master Plan.

#### **Vice Mayor Radzik**

- Attended the August 31<sup>st</sup> CRA Budget Workshop.
- Telephone conference with David Barth/Barth & Associates regarding the Parks Master Plan.
- Meeting with City Manager Hein.

## SEPTEMBER 8, 2020 CITY COUNCIL MEETING MINUTES

### **Mayor Wilson**

- September 3<sup>rd</sup> attended the Chamber of Commerce Economic Development Meeting. The guest speaker was Supervisor of Elections Alan Hays. Mr. Hayes explained how 90 days before the November 3<sup>rd</sup> election no one can be pulled from the ballot. The Supervisor of Elections is looking to place more early voting drop boxes at police or fire stations in which these sites would can have 24-hour security.
- Received a thank you card from Dodie and Howard King for the 50<sup>th</sup> anniversary plaque received from the City.

### **City Manager Hein**

Nothing to report at this time.

### **City Attorney Anita Geraci-Carver**

- Closing took place with Palisades Home Owner Association.
- Working with seller's attorney on the Bradshaw property. Final surveys have been received and the closing will commence within the next couple of weeks. Encroachment issues will be dealt with separately.
- The closing between Palisades and CanAm have been delayed due to backlogs at Lake County. The closing has been extended to November.

### **ADJOURNMENT**

Mayor Wilson adjourned the meeting at 8:04 p.m.



---

Evelyn Wilson, Mayor

Attest:

---

Virginia Wright, City Clerk

## Virginia Wright

---

**From:** Tm 96 <tml9521t@gmail.com>  
**Sent:** Saturday, September 5, 2020 7:13 PM  
**To:** Virginia Wright; ciara bender; Michael Hein; Lisa Cortese  
**Cc:** tim9521t@gmail.com  
**Subject:** -Warning External email-Request for public comment Ordinance 2019-55 amending the Indigo Lakes PUD.  
**Attachments:** 9-8-2020 Indigo Lakes Letter.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Attention; Virginia Wright City Clerk for the City of Groveland

Ginny,

Please let this email stand as my request that the attached public comment be forwarded to the Mayor & Council and be read into record at the City of Groveland Public Hearing regarding Ordinance 2019-55 amending the Indigo Lakes PUD.

Tim Loucks  
623 Neptune Dr.  
Groveland, Fl. 34736

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.



In the matter of Ordinance 2019-55 amending the Indigo Lakes PUD.  
Indigo Lakes Public Hearing 9/8/2020

Dear Mayor and City Council:

I am urging you to vote YES on the Indigo Lakes PD amendment tonight. I am writing to you today solely as a concerned Groveland Citizen and as a former Mayor / City Councilman in the City of Groveland and a current development consultant who follows development activities throughout Central Florida (but especially those in the City I choose as my family's home). I first want to make it extremely clear; I am not contracted nor am in the employment of Indigo Lakes their subsidiaries, affiliates, associates or successors, nor am I involved financially or otherwise with this development in anyway.

Prior to leaving the Groveland City Council we were discussing revising Groveland's LDR's to encourage development that would enhance the quality of life for Groveland's current and future Citizens. As some of you recall we initially adopted this philosophy based on the LaViance / Hanover Project which I was proud to be part of the decision making process as the Mayor. This project set a standard that at the time that has been unsurpassed by other communities in Lake County. At that time, we set a bar that was fair and conducive to Groveland's vision's, quality of life and the existing market.

I have closely followed the proceedings and reviewed the submittals for the Indigo Lakes PD amendment to determine if our current City Council was still on tract with what we agreed on in 2015,16 & 17.

I was extremely excited to see our current City Council was still fulfilling the visions we discussed.

As a current resident in Groveland and in my professional opinion the applicant has agreed to numerous concession and conditions that were difficult in the uncertain market we currently live in today and in many ways exceeded our original expectations.

As you are aware one of my clients contracted me to perform a feasibility study on this property which they had under contract with the intentions to develop it in 2018. Based on the product they intended to provide and expected monetary return I highly advise them against moving forward.

My analysis concluded Groveland was in the mist of progressing from a "Watch us Grow City" in search of badly needed tax base, to a City in need of sustainable superior quality development. I can objectively say Indigo Lakes has obliged with numerous premium features and enhanced designs.

I commend Indigo's principles for taking the calculated risks that many of my clients would not take. It is my observation the Indigo project is well within the vision of our City.

However, the merits of this proposed community are not the best reason to vote YES on this project. The best reason to vote YES here is the ***dire consequences that would come from a NO vote.***

In the matter of Ordinance 2019-55 amending the Indigo Lakes PUD.  
Indigo Lakes Public Hearing 9/8/2020

This is not a former citrus grove with an AG zoning, where the City Council has the final say-so. This is a living, breathing PD with vested development rights that are liberally convertible in ways the City or its Citizens will not like.

As a former Mayor and Councilman and currently a consultant for numerous developers throughout Central Florida, I am uniquely aware and possess first-hand experience with many older poorly written PDs that were agreed to prior to any of us moving to Groveland that still survive to this day.

These PDs give their underlying properties development rights we probably wish they would not have. Unfortunately, the Indigo property is one of those PDs.

During my tenure on the Groveland City Council we encountered numerous old, vested PDs amazingly one in particular comes to mind, Eagle Point phase II and III.

I cannot help but to recall the evening many of the current sitting Council members made the decision we would require wider internal roadways for new PDs in an attempt to help alleviate street parking congestion that was creating safety hazards for emergency vehicles rushing to a call.

My suggestion was to require the new builder for Eagle Point to widen the existing roadways. I was quickly informed by the developer and by the wisdom of our City Attorney this particular PD was a living, breathing document with vested development rights and we did not have the authority to require such a modification. Many at that meeting were as shocked as I was, including several you who are still seated tonight.

I am aware Indigo Lakes has spent over a year working with our planning staff and our P&Z board on this project and has come to you with a plan that is well thought out and represents a great leap forward (compared to the previously approved communities)

As you are aware our current City Manager Mr. Mike Hien has taking great proactive steps in employing many of the highest qualified planning staff available in today's market to assist the City Council in making the best decisions for property owners, Citizens and developers in Groveland.

These highly trained and experienced staff members have recommended approval of the Indigo Lakes project.

Shortly after my departure from the City Council a Planning & Zoning board was officially seated to advise and make recommendation to the Council on these matters.

Both Staff and the Planning and Zoning Board have forwarded a recommendation of approval to you tonight to approve this project.

Again, this recommendation of approval only came after over a year of review, negotiations and concessions from both the developer and the City and should not be disregarded or taken lightly.

In the matter of Ordinance 2019-55 amending the Indigo Lakes PUD.  
Indigo Lakes Public Hearing 9/8/2020

At a recent Council meeting several of the Council members expressed concern to the developer that proposed Side Setbacks were the reason you were voting against the plan without expressing any additional concerns.

This prompted the developer to amend the Side Setbacks to a standard they were already entitled to in the old PD and increase their proposed side setbacks to the originally approved 7-1/2ft opposed to the proposed 5ft they initially requested.

This alone reflects Indigo Lakes desire to operate in an upfront, honest and collaborative manner with the City Councils concerns.

To vote NO tonight would send a clear message to investors pursuing the old, but still living, PDs it is simpler, easier and much less expensive than negotiating amended one that will ultimately result in denial.

Therefore, any investor of reasonable financial common reason would be better off submitting a plan using the Non-Substantial Change in rights that seem to be prevalent in all our old PDs. Fortunately for Groveland, some of these old PDs (like the Villa City PD) limit the amount developers can increase any single land use to a certain percentage. Unfortunately, the Indigo PD does not have such a limitation.

I am certain our City Attorney has advised most if not all of the current City Council, existing PDs stay with the property and constitute certain vested rights that legally allow development in ways no one would care for but are still legally binding preventing the City Council from interjecting additional restriction outside the scope in which they were intended when initially adopted.

As some of the current Council is abundantly aware, while I was seated, we attempted to interject conditions that were not part of an original PD and was promptly corrected the Council did not legally have the authority to do.

Unfortunately, and to my dismay we were legally obligated to approve something we did not particularly agree with.

I respectfully request and recommend this Council does not attempt to take that position, considering you really have no legal standing to do so.

I must say in all fairness Indigo Lakes has gone above and beyond what they can be legally obligated to do in an effort to share the City Councils and the Citizens of Groveland's visions for our City.

As this Council and America is keenly aware, our great Country is in the midst of the worse pandemic the world has seen in our lifetimes.

For this reason, many investors and developers are planning developments based on the inevitable turndown in our nation's economy.

In the matter of Ordinance 2019-55 amending the Indigo Lakes PUD.

Indigo Lakes Public Hearing 9/8/2020

Indigo Lakes began their endeavor to develop this property long before anyone was aware we would be facing what we are today, therefore the City and its Citizens are getting a superior product than what will be offered in the near future.

I would like to advise the Mayor and Council I have personally seen numerous developers within Lake, Orange, Seminole, Polk, Volusia, Marion and Osceola Counties withdraw current development applications that contained vested PDs in which they had made enhanced concessions to the City or County opposed to applying and only adhering to the original PD requirements. As you should be aware this is an option for the Indigo Lakes project.

As a Citizen of Groveland I would not be an advocate of Indigo Lakes going this route, however if the Council chooses to impose additional conditions or deny the project you very well may leave the developer no other option but seek approval under the guideline as prescribed in the old vested PD.

Old vested PDs are a problem and will be until they are exhausted.

The City of Groveland, its Mayor and City Council are extremely fortunate to have the chance to fix one of these problems by approving such a well-planned Community such as Indigo Lake tonight.

From my many years of experience not only in the public sector but also in the private sector I respectfully urge the Mayor and City Council to vote in the affirmative for the Indigo Lakes project.

If you haven't already sought the opinion of the City Attorney regarding the potential unintended consequences related to denying amendments to these old PDs, I hope you do so tonight before you vote.

Sincerely,  
Tim Loucks

*Tim Loucks* 9/5/2020

Groveland Citizen

Former City of Groveland Mayor and City Councilman

## Virginia Wright

---

**From:** Lowrie Brown <lowriebrown@comcast.net>  
**Sent:** Monday, September 7, 2020 7:03 PM  
**To:** Virginia Wright  
**Cc:** Marty Procter  
**Subject:** -Warning External email-Public Comment Sept. 5 City Council  
**Attachments:** Indigo Lakes Sept 8 Council Comments.docx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Ginny;

Attached is a public comment I would like to have read at the September 8 City Council meeting with respect to the proposed Indigo Lakes Development.

Thanks

Lowrie Brown

18326 Rose Street

Groveland, FL 34736

Cell (407) 466-8872

Sent from Mail for Windows 10

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.



Dear Council;

I recently reviewed the final iteration of the proposed Indigo Lakes PUD ordinance and concept plan. I was extremely disappointed at the minimal changes which have been made since the previous public hearing with only minor variation from that which was previously denied.

In order for this project to be acceptable, a major overhaul should be required; the minor changes presented are, frankly, a waste of councils and staffs time.

I am highly concerned at the inclusion of the townhomes without significant design criteria being described in the ordinance. I have visions of a project similar to the townhomes located on Highway 50 in front of the Green Valley development. That would be a shame!

I am also highly concerned that this development, as presented, will be exceedingly congested, overly dense and contain an excessive amount of on-street parking.

- The side setbacks on the 45' lots have been increased to 7.5' which will still provide a front elevation which will overemphasize the garage similar to that of a 40' lot with a 5' side setback.
- The rear setback to an alley loaded lot is still 5' which will not allow parking outside of the garage in the driveway.
- The off-street parking requirement is for only 2 vehicles, presumably in a garage. This requirement should be increased to 4 vehicles on site.
- I would prefer to see all streets throughout the development contain parallel parking on one side of the street with parking in the travel lanes prohibited.

I would also like to see the greenspace increased to 30% from the 20% specified. This would allow for the installation of gazebos, picknick sheds, common gardens or other areas which residents could meet thereby fostering socialization.

While I agree that there is a need for a public park in the area, I do not feel as though the proposed location would be used by the general public unless the property designated for commercial use were included. Failing the inclusion of the commercial property, the city should not accept the proposed parkland. By accepting the same, the city would, in essence, be funding a park which would

only benefit the residents of the proposed development and would remove the property from the tax rolls.

The hilltop area should be used by the development to provide the amenity center as called for in the PUD. While the contents of the amenity center are called for in the document, design specifications should be enumerated. I have seen too many instances in which the amenities were sub-standard as a result of insufficient specifications.

The document calls for an 8' wide multi-purpose path along Villa City Road. It also calls for a 7,000+/- linear foot pedestrian trail along Lake Lucy, but does not specify a width. I would suggest that path also be specified at 8' wide and the document should specify the material used to construct the path and trails.

Overall, my primary issue is the excessive density requested by the developer. The developments to the south of the subject property is moderately less dense than that being proposed by the developer. The developments to the north are significantly less dense. This property should act as a transition between the various densities in accordance with good planning practices.

I have thoughts on design criteria which would keep this proposed development economically viable while creating a quality development which reflect the branding the city desires. While time constraints prohibit description with this correspondence, I would be willing to discuss the same with council members, staff as well as the developers. I would like to see this be a quality development.

This is a beautiful piece of property. I would be a shame to allow it to be developed in a manner which will reflect poorly on the city and this council. I urge you to deny this amended PUD ordinance and suggest the developer embark on a major overhaul of its plan to conform to the concept of "The City with Natural Charm."

Thank You

Lowrie Brown

## Virginia Wright

---

**From:** M. Proctor <likeparty@yahoo.com>  
**Sent:** Tuesday, September 8, 2020 2:54 PM  
**To:** ciara bender  
**Cc:** Virginia Wright  
**Subject:** -Warning External email-Re: -Warning External email-Indigo Lakes Plan, exhibits  
**Attachments:** Indigo Lakes 9-8-2020 meeting, Proctor Public Comment.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

In keeping with the last minute Indigo Lakes...here are my public comments just before 3 PM.  
Thanks for all you do...you do EXCELLENT work.  
Marty

On Tuesday, September 8, 2020, 08:43:22 AM EDT, M. Proctor <likeparty@yahoo.com> wrote:

Thank you, efficient as always.  
"See" you tonight.  
Marty

On Tuesday, September 8, 2020, 08:11:36 AM EDT, ciara bender <ciara.bender@groveland-fl.gov> wrote:

Good Morning,

Per your public records request, attached please find the September 8<sup>th</sup> City Council Meeting agenda documents for Indigo Lakes PUD Amendment.

Please be advised that the statutory obligation of the custodian of public records is to provide access to, or copies of, public records in a reasonable period of time, under reasonable conditions, and under supervision by the custodian or the custodian's designee. However, Florida Statutes do not require the custodian of records to provide information about the records produced or to create new records in response to a request.

This will complete your public records request.

Thank you,

Indigo Lakes 9/8/2020

Why has this PUD and plan taken such a reactive and incremental path through the negotiations and versions?

The Developer and representative have continued to create last minute incremental changes to this PUD and Conceptual Plan.

Developers will delay the agenda process when the public has a large body of people in opposition. Few residents have the stamina or time to return to multiple meetings to object or comment on a project. So, the concerned residents lose interest and go away, capitulating to the petitioner.

While I understand and expect this tactic as a resident, it is unfortunate to see the City's valuable Staff and Council member time is spent in this manner. Especially if the result wears down the City team until they finally capitulate and surrender their goals to improve the City.

So now we have a second reading of this ordinance or more accurately the fifth reading.

Yet these documents do not include a definition of the townhomes that are a significant element and change recently re-added to the plan.

Yet we have in section G a minimum lot size of 3600 square feet while the minimum width has recently grown to 45 feet. Is the intended minimum lot size 45 x 80 feet?

Now we have in Section I, part 6, an undefined exemption for porches on houses less than 32 feet wide, which could be up to 218 of the homes on 45 foot lots.

Still we have section 1 sub parts 4 and 17 redundantly stating driveway materials.

And we have no definition or drawing showing the material or width of all the multi-use trails.

Certainly all this can be fixed or changed here at the last minute.

Groveland City Council: Be strong, vote with your principles and refuse to be worn down.

Sincerely,

Marty Proctor, 18225 Rose Street, Groveland, FL 34736





## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: T.J. FISH, DIRECTOR OF TRANSPORTATION & PUBLIC WORKS

SUBJECT: RESOLUTION 2020-46 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE ASSIGNMENT LETTER CONSENTING TO THE ASSIGNMENT OF CONTINUING SERVICES AGREEMENT DATED FEBRUARY 6, 2019, FROM BESH INC. TO HALFF ASSOCIATES, INC. FOR ENGINEERING SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND:**

City administration received a request on September 3 to assign the current continuing engineering services contract with Booth, Ern, Straughn, and Hiott (BESH) to Halff Associates, Inc. The Tavares engineering firm was recently purchased by Texas-based Halff as the purchasing engineering firm seeks to expand into Florida serving small to medium-sized municipalities with utility engineering services. Transportation & Public Works has enjoyed a very positive relationship characterized by thorough professional engineering consulting from BESH. The transition to the Halff Associates Inc. team is a positive change that will expand the size of the team and will empower the engineering team to provide a greater depth of expertise. Staff recommends approval of Resolution of 2020-46.

#### **BUDGET IMPACT:**

None.

#### **LEGAL NOTICE:**

Not required.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of Resolution 2020-46 assigning the continuing services agreement with BESH to Halff Associates, Inc.

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-46, with Exhibit

**RESOLUTION 2020-46**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE ASSIGNMENT LETTER CONSENTING TO THE ASSIGNMENT OF CONTINUING SERVICES AGREEMENT DATED FEBRUARY 6, 2019 FROM BESH INC. TO HALFF ASSOCIATES, INC. FOR ENGINEERING SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland and BESH, Inc. entered into the Continuing Services Agreement dated February 6, 2019 for engineering services; and

**WHEREAS**, BESH, Inc. conveyed its assets to Halff Associates, Inc. and Halff Associates, Inc. has agreed to assume the Continuing Services Agreement; and

**WHEREAS**, the principals of BESH, Inc. who perform services on behalf of the City of Groveland have been retained by Halff Associates, Inc.; and

**WHEREAS**, the City Council finds it beneficial to consent to the Assignment Letter.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Letter Agreement dated September 3, 2020, a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the City Manager to execute the Letter Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_\_ day of \_\_\_\_\_ 2020, by the City Council of the City of Groveland, Florida.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as  
follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: CHRIS COGHILL, PROCUREMENT MANAGER

SUBJECT: RESOLUTION 2020-47 FRANCHISE AGREEMENT WITH WCA OF FLORIDA, LLC, FOR RFP 2020-006, COMMERCIAL SOLID WASTE COLLECTION SERVICES

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND:**

The Public Works Department requested the Procurement Department conduct a solicitation for the purpose of securing commercial solid waste and recycling collection services. Request for Proposal (RFP) 20-006, Commercial Solid Waste Collection Services, was advertised on July 22, 2020; responses were due August 25, 2020.

Four (4) proposals were received and evaluation and scoring meetings were held on September 14 and 16, 2020. At this meeting proposals were ranked as follows and WCA of Florida, LLC, was unanimously selected for award.

- WCA of Florida, LLC..... 1
- Waste Pro of Florida, Inc. .... 2
- Orion Waste Solutions ..... 3
- Waste Connections of Florida, Inc..... 4

#### **BUDGET IMPACT:**

There are no expected changes to the approved budget.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends passage of Resolution 2020-47 approving the Franchise Agreement with WCA of Florida, LLC.

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-47  
Attachment 2 – Franchise Agreement  
Attachment 3 – Evaluation Score Sheets Summary



# ATTACHMENT 1

**RESOLUTION 2020-47**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE FRANCHISE AGREEMENT BETWEEN THE CITY OF GROVELAND AND WCA OF FLORIDA, LLC ISSUED PURSUANT TO REQUEST FOR PROPOSALS 20-006, COMMERCIAL SOLID WASTE COLLECTION SERVICES; AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland issued Request for Proposals (RFP) 20-006 for the purposes of selecting a firm to provide commercial solid waste and recycling collection services; and

**WHEREAS**, the City selected WCA of Florida, LLC; and

**WHEREAS**, the parties desire to enter into an Agreement for the purpose of setting forth the terms and conditions under which WCA of Florida, LLC, will provide commercial solid waste and recycling collection services for the City of Groveland; and

**WHEREAS**, the City Council finds it beneficial to the City of Groveland and desires to approve the Agreement with the terms and conditions outlined therein; and

**WHEREAS**, the City Council has home rule authority to take any action in the furtherance of the interest of the City that is not in conflict with general law, and taking action authorized in this resolution is not in conflict.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Franchise Agreement between the City of Groveland and WCA of Florida, LLC, a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_ day of October 2020, by the City Council of the City of Groveland, Florida.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: RESOLUTION 2020-48 ADOPTION OF FEE SCHEDULE FOR  
COMMERCIAL SOLID WASTE

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND:**

With the selection of a new exclusive commercial solid waste hauler, the City needs to define the rate structure for the service. The resolution provides the amounts necessary to cover the costs of the operation from our hauler and other anticipated costs. We will be reviewing these costs with other costs to insure they are fair, reasonable and cover our costs.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the Resolution 2020-48

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-48



## RESOLUTION 2020-48

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, ADOPTING A FEE SCHEDULE FOR COMMERCIAL SOLID WASTE AND RECYCLING; REPEALING ANY FEES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Groveland provides services to residents, to non-residents, and to owners of real property lying within the municipal limits of the City of Groveland; and

**WHEREAS**, the City of Groveland is authorized pursuant to its police power to regulate an activity or property use and to assess fees to recover its expenses in providing such services; and

**WHEREAS**, the City Council finds that the fees set forth shall be imposed in accordance with law.

**THEREFORE BE IT RESOLVED** by the City Council of the City of Groveland, Florida, as follows:

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.
2. City Council adopts the following fees for Commercial Solid Waste and Recycling:

Commercial Solid Waste Charges				
	Service Frequency per week			
Dumpsters	2	3	4	5
2 Cubic Yards	\$ 83.15	\$ 124.70	\$ 166.27	\$ 207.84
4 Cubic Yards	\$ 145.49	\$ 218.23	\$ 290.98	\$ 363.72
6 Cubic Yards	\$ 158.38	\$ 237.56	\$ 316.75	\$ 395.94
8 Cubic Yards	\$ 211.16	\$ 316.75	\$ 422.33	\$ 527.92
Compactors				
Monthly Rental Charge	\$ 336.00			
Disposal Costs*	\$ 210.00	per haul plus actual disposal costs		
*Disposal Costs are a hauling charge plus the actual disposal costs for each time the Compactor is emptied.				
Roll-off Containers				
10 Cubic Yards	\$ 243.75	per haul		
20 Cubic Yards	\$ 306.25	per haul		
30 Cubic Yards	\$ 368.75	per haul		
40 Cubic Yards	\$ 431.25	per haul		

**Commercial Recycling Charges**

Dumpsters	Service Frequency per week			
	2	3	4	5
2 Cubic Yards	\$ 51.96	\$ 77.94	\$ 104.40	\$ 129.90
4 Cubic Yards	\$ 103.92	\$ 155.88	\$ 207.60	\$ 259.80
6 Cubic Yards	\$ 155.88	\$ 233.82	\$ 312.00	\$ 389.70
8 Cubic Yards	\$ 207.84	\$ 311.76	\$ 415.20	\$ 519.60

**Roll-Off Containers**

10 Cubic Yards \$ 231.25 per haul

Commercial Recycling charges are recycled goods and utilization of recycling containers for regular solid waste will result in additional charges and fees.

**Miscellaneous Charges**

Overfilled Service Charge \$ 125.00

This charge applies if the roll-offs and/or dumpster is filled where is unable to be safely transported either due to weight or material overflow. Customer will be notified and have the opportunity to bring the container into compliance. If unable to bring into compliance additional fees and charges may be incurred based on costs incurred by the City.

Inactivity Charge for Roll-offs \$ 100.00

This charge will apply if a roll-off is ordered and there is no disposals on that container for 30 calendar days.

Late Fees 10% of outstanding balances

Non-Payment

\*\*City reserves the right to pass along any costs incurred related to Commercial Solid Waste or Recycling costs which may not be listed as a direct cost to the customer plus a 10% administration charge for processing.

3. All other ordinances or resolutions, or parts of ordinances or resolutions, in conflict herewith are repealed.

4. This resolution shall be effective immediately upon adoption.

PASSED AND RESOLVED this \_\_\_\_\_ day of October, 2020, by the City Council of the City of Groveland, Florida.

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		





## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: JOHN TER LOUW, FINANCE DIRECTOR

SUBJECT: RESOLUTION 2020-49 APPROVAL OF INTERLOCAL AGREEMENT  
WITH LAKE COUNTY FOR CARES ACT FUNDING

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND:**

As part of the CARES Act, Lake County is requiring that municipalities adopt an Interlocal Agreement in regards to the disbursement of CARES Act Funds. This agreement details our award limit and responsibilities. We are designated \$925,250 in funds available for which we have submitted a spend plan to Lake County to utilize these funds.

#### **LEGAL NOTICE:**

None.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of the Resolution 2020-49

#### **ATTACHMENTS:**

Attachment 1 – Resolution 2020-49

Attachment 2 – Interlocal Agreement

**RESOLUTION 2020-49**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA, APPROVING THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF GROVELAND AND LAKE COUNTY FOR DISBURSEMENT OF CARES ACT FUNDING; AUTHORIZING EXECUTION OF THE AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the State of Florida has been awarded funds pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES), Public Law No. 116-136, div. A, Title V (March 27, 2020), known as the CARES Act; and

**WHEREAS**, the County and the State of Florida, Division of Emergency Management ("State DEM"), entered into a CARES Act Funding Agreement (the "Funding Agreement") for: (i) necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019; (ii) were not accounted for in the budget most recently approved by the entity; and (iii) were incurred between March 2, 2020, through December 30, 2020; and

**WHEREAS**, the City Council finds it beneficial to the City of Groveland and desires to approve the interlocal agreement with the terms and conditions outlined therein.

**WHEREAS**, is authorized by §163.01, Florida Statutes to enter into interlocal agreements with other municipalities and legal entities.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, AS FOLLOWS:**

Section 1. The Interlocal Agreement between the City of Groveland and Lake County, a copy of which is attached hereto, is approved.

Section 2. The Council authorizes the Mayor to execute the Agreement.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council of the City of Groveland, Florida.

PASSED AND RESOLVED this \_\_\_\_\_ day of October, 2020, by the City Council of the City of Groveland, Florida.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above  
and foregoing Resolution. Motion was seconded by Council Member  
\_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		





## CONSENT AGENDA

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONSIDERATION OF APPROVAL:  
INDIGO LAKES PUD DENIAL LETTER

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND**

The City of Groveland's Community Development Staff received an application from Jimmy Crawford on July 31, 2019 on behalf of the project owner, Indigo Land Groveland LLC, to amend Ordinance 2006-08-67. The new ordinance proposal was to rezone the property to decrease the side setbacks, decrease the lot widths of certain lots, decrease the acreage of commercial development and remove multi-family housing.

On January 16, 2020, the City of Groveland Planning & Zoning Board, at a duly advertised public hearing, considered a motion to recommend denial of the request for a new rezoning ordinance on the Property which was seconded, and carried with a vote of 3 – 2 to recommend denial of Ordinance 2019-55.

On February 18, 2020, the City Council, at a duly advertised public meeting, voted 4-1 to return Ordinance 2019-55 to the Planning & Zoning Board due to revisions to the ordinance made after the Planning & Zoning Board's January 16, 2020 recommendation.

On March 5, 2020, the Planning & Zoning Board, at a duly advertised public hearing, considered a motion to recommend approval of the request for a new ordinance on the Property with conditions which was seconded, and carried with a vote of 5-2 to recommend approval of Ordinance 2019-55 with conditions.

The conditions included: construction plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit, and the architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval; buildings already receiving approval of the Planning & Zoning Board do not require additional reviews.

On August 24, 2020, the City Council, at a duly advertised public meeting, where first reading of the proposed Ordinance 2019-55 was held, voted 5-0 to deny Ordinance 2019-55.

On September 8, 2020, the City Council, at a duly advertised public hearing, voted 5-0 to deny Ordinance 2019-55.

As a result, in accordance with §166.033, Florida Statutes, the City of Groveland has provided a written notice of denial of Indigo Land Groveland LLC's application to amend an existing mixed use PUD zoning for Ordinance 2006-08-67.

#### **ATTACHMENTS**

Attachment 1: Order of Denial Letter for Indigo Lakes PUD Amendment Application (Ordinance 2019-55)

Attachment 2: Exhibit A (Ord. 2006-08-67) & Exhibit B (Ord. 2019-55)

# ATTACHMENT 1

## BEFORE THE CITY COUNCIL OF THE CITY OF GROVELAND, FLORIDA

### **Applicant:**

Jimmy Crawford, Esq.  
Crawford, Modica & Holt  
702 W. Montrose Street  
Clermont, FL 34711

**Project Owner:** Indigo Land Groveland LLC

### **Requested Action:**

- 1) A reduction to 5' side setbacks between 30% of single-family detached residences.
- 2) Inclusion of 45' wide lots for single-family detached residences.
- 3) Decrease in the number of acres of commercial development from 11 acres to 2.97 acres.
- 4) Elimination of all multi-family housing (apartments/condominiums).

### **ORDER**

This application was heard on September 8, 2020, before the City Council of the City of Groveland ("City Council"). In accordance with §166.033, Florida Statutes, the City of Groveland provides written notice of denial of Indigo Land Groveland LLC's application to amend an existing mixed use PUD zoning Ordinance 2006-08-67 (**Exhibit A** attached hereto). Based upon the testimony and evidence presented, the City Council makes the following Findings of Fact and Conclusions of Law in support of its decision rendered on September 8, 2020:

### **PROCEDURAL HISTORY**

1. On August 21, 2006, the City Council approved Ordinance 2006-08-67, requesting property described in **Exhibit A** to be rezoned from Lake County Agriculture to PUD City of Groveland for a mixed use development.

2. The Applicant on behalf of the Project Owner filed an application to replace Ordinance 2006-08-67 (PUD) with a new ordinance rezoning the property to decrease the side setbacks, decrease the lot widths of certain lots, decrease the acreage of commercial development and remove multi-family housing. The proposed Ordinance 2019-55 with exhibits thereto titled conceptual development plan, conceptual zoning map and side setback plan is attached collectively as **Exhibit B**.

3. On January 16, 2020, the City of Groveland Planning & Zoning Board, at a duly advertised public hearing, considered a motion to recommend denial of the request for a new rezoning ordinance on the Property which was seconded, and carried with a vote of 3 – 2 to recommend denial of Ordinance 2019-55.



4. On February 18, 2020, the City Council, at a duly advertised public meeting, voted 4-1 to return Ordinance 2019-55 to the Planning & Zoning Board due to revisions to the ordinance made after the Planning & Zoning Board's January 16, 2020 recommendation.

5. On March 5, 2020, the Planning & Zoning Board, at a duly advertised public hearing, considered a motion to recommend approval of the request for a new ordinance on the Property with conditions which was seconded, and carried with a vote of 5-2 to recommend approval of Ordinance 2019-55 with conditions. The conditions include: construction plans, including road and road right-of-way, park design, and open space areas must be reviewed and approved by the Planning & Zoning Board prior to issuance of a site development permit, and the architecture of each new building and home type, including elevations, must be reviewed and approved by the Planning & Zoning Board prior to building permit approval; buildings already receiving approval of the Planning & Zoning Board do not require additional reviews.

6. On August 24, 2020, the City Council, at a duly advertised public meeting, where first reading of the proposed Ordinance 2019-55 was held, voted 5-0 to deny Ordinance 2019-55.

7. On September 8, 2020, the City Council, at a duly advertised public hearing, voted 5-0 to deny Ordinance 2019-55.

8. Pursuant to Sec. 101-45, Land Use and Development Regulations of the City of Groveland, the public meetings and public hearings were properly advertised and noticed.

9. The Applicant was provided appropriate notice of the date and time of the public meeting and public hearing. The Applicant appeared at each with legal counsel and was provided an appropriate amount of time in which to present the case in support of the applicant to include additional time at the public hearing on September 8, 2020.

#### **FINDINGS OF FACT**

10. The above Procedural History is adopted and incorporated into these Findings of Fact.

11. The Property has a Future Land Use designation of Mixed Use and an existing zoning classification of PUD, mixed use.

12. The current PUD zoning as set forth in Ordinance 2006-08-67 is consistent with the City of Groveland's Comprehensive Plan including but not limited to the Mixed Use Future Land Use designation of the property, consistent with the purpose of the zoning code, Sec. 153-3 of the Land Use and Development Regulations of the City of Groveland, and complies with Sec 153-159 of the Land Use and Development Regulations of the City of Groveland regulating PUDs.

13. Ordinance 2006-08-67, the current zoning of the Property, provides in relevant part:

a. Approximate acreage developed to each land use shall be as follows:

Developable Acreage

113.4(+/-) acres (net acreage per FLU policy 1.1.-11)

Un-developable Acreage	46.6(+/-) acres (net acreage per FLU policy 1.1-11)
Single Family	24(+/-) acres (2.17+/- Units/Acre)
Townhomes/Villas	43(+/-) acres (8.5+/- Units/Acre)
Retail/office/community facilities (w/apartments/condominiums above)	11(+/-) acres (4.0 +/- Units/Acre)
Public Community Facilities	2.5(+/-) acres
Recreation	8.0(+/-) acres
Open Space Total	52.0(+/-) acres
Upland	8.0(+/-) acres
Wetland & Lakes	44.0(+/-) acres

Non-substantial deviations from the acreages shall be allowed provided there is no increase or decrease in density or intensity.

b. Standards for Single Family Detached Homes

Setbacks

The following minimum setbacks shall be applied to single family dwelling units:

Front: 20 feet

15 feet if dwelling has covered front porch

10 feet if dwelling has rear alley access for vehicles and covered front porch

Rear: 10 feet

5 feet for in-ground pool or screen enclosure

Side: A range of side setbacks shall be provided in order to create diversity. A minimum spacing of 15 feet shall be maintained between 70% of the homes, the remaining 30% shall maintain a minimum of 10 feet between homes. Corner lots shall have a side setback of 10 feet.

c. Standards for Single Family Detached Homes

Lot Width

In accordance with the principle of providing diversity within the development a variety of lot widths shall be permitted in the range of 50 feet and above. The minimum lot width at building line shall be 50 feet with a minimum street frontage of 20 feet. In order to achieve this diversity each block shall contain no less than two different lot widths which shall be interspersed within that block.

d. Commercial Center

The commercial center is intended primarily to provide uses that meet the retail and service needs of the neighborhood and its vicinity. In addition to shops and offices, the center may contain other compatible uses such as civic and institutional uses of community-wide importance, specifically including second-floor residential uses. The commercial center shall be located so that it is easily accessible by pedestrians from as much of the residential areas as possible.

The buildings shall generally be of two or three-story construction, however the number of units exceeding 3 stories in height is limited to 20 percent of the maximum number of residential units and shall be designed in accordance with the design standards set forth below. Ground floor space shall generally be reserved for pedestrian-oriented retailing and services, with offices and housing above.

14. Ordinance 2019-55, the proposed zoning of the Property, provides in relevant part:

a. Land Uses and Acres

Residential	62.79 +/- acres
Village Core Mixed Use	2.97 +/- acres
Upland/Usable Open Space	29.53 +/- acres
Wetland/Lake Open Space	16.27 +/- acres
Total Open Space	45.50 +/- acres
Amenities/Public Facilities	5.37 +/- acres
Road Right-of-Way	22.14 +/- acres

b. Single Family Residential Setbacks

Front	10 feet
Front Loaded Garage	25 feet
Rear	20 feet for principal structure and 5 feet for garages, pools, pool decks and patios
Side	Detached single-family unit: Up to 30% may have a minimum 5 foot side yard setback All others a 7.5 foot side yard setback Corner lots: 10 foot side yard setback as measured to the right-of-way line on the street side

c. Lot Width

In accordance with the principle of providing diversity within the development a variety of lot widths shall be permitted in the range of 20-85 feet. Lot width diversity within blocks is encouraged. However, for any irregularly shaped (e.g. pie shaped) single family detached lots, the minimum lot width may be reduced to 30 feet at the building line with a minimum street frontage of 20 feet. Attached townhome lots shall be a minimum width of 20 feet. Detached townhome lots shall have a minimum width of 32 feet. Detached single family home lots shall have a minimum width of 45 feet.

#### Estimated Lot Counts per Conceptual Development Plan

##### Single family lots

45 foot width	78 lots
50 foot width	97 lots
55 foot width	141 lots
80 foot width	12 lots

#### Estimated Lot Counts per SFD Side Setback Exhibit

##### Single family lots

5 foot side setback	97 lots (50' wide)
7.5 foot side setback	219 lots (45' and 55' wide)
10 foot side setback	12 lots

### ANALYSIS

The Mixed Use future land use designation is “primarily intended to create sustainability, including the provisions of reducing the dependability on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, socialize, and recreate in close proximity.” As part of the analysis set forth in the Future Land Use Element adopted by the City Council in 2010, it is stated that “As future development occurs in the Mixed Use and North Workplace Development area, additional employment and service opportunities will be made available for the City’s residents and others. This will provide for much improved sustainability for the City over the short-range (2011-2015) and long-range (2025) planning period of this Plan.” The proposed rezoning request greatly reduces the commercial center of retail and office uses by over 8 acres. This is inconsistent with the primary intent of the Mixed Use future land use designation of creating sustainability and conflicts with the public interest.

Policy 1.1.6 of the City of Groveland Comprehensive Plan mandates the City to “promote a high quality residential development that will create a sense of place and community through the development of the Mixed Use land use.” Included are: a diversity of housing styles, shapes and materials in order to create variety in the streetscape; different housing types to be integrated



architecturally in order to give the development a harmonious appearance; the creation of visual richness when choosing materials and details. Local characteristics are encouraged; the encouragement of front porches and side entrances for garages; a variety of roof heights, pitches and materials; and landscaping to be incorporated into the overall design as a means of linking the development areas with the open spaces. The proposed rezoning request eliminates apartments/condominiums, drastically reduces the multi-family development while significantly increases single family development (*compare* Exhibit A of Ordinance 2006-08-67 with Conceptual Development Plan of proposed Ordinance 2019-55). The proposed rezoning request provides for 328 single-family detached units decreasing the diversity of housing types and roof heights. Additionally, proposed zoning reduces the lot size of single-family detached while also reducing side yard setbacks again minimizing the ability to provide for side entrance garages. The proposed rezoning does not create a sense of place and community.

Maintaining (a) 10' and 15' side setbacks between single-family detached residences, (b) minimum lot widths of 50' for single-family detached residences, (c) 11 acres of commercial development and (d) apartments/condominiums above commercial each accomplish a legitimate public purpose to protect, promote and improve the public health, safety, and general welfare of the residents by providing for greater distances and open space between single-family detached homes, preserving a diverse economic tax base, and preserving an increased variety of housing types within the community. In addition, they further the intent of the Mixed Use designation which is "to create sustainability, including the provisions of reducing the dependability on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, socialize, and recreate in close proximity."<sup>1</sup> promotes a high quality residential development that will create a sense of place and community which includes in part, a diversity of housing styles, shapes and materials and different housing types;<sup>2</sup> and provides uses that meet the retail and service needs of a traditional neighborhood center and includes second-floor residential uses with easy accessibility by pedestrians to the neighborhood center.<sup>3</sup>

### **CONCLUSIONS OF LAW**

1. The proposed rezoning conflicts with the public interest.
2. The proposed rezoning does not create sustainability, including the provisions of reducing the dependability on the automobile, protecting more open land, and providing quality of life by allowing people to live, work, and socialize in close proximity.
3. The proposed rezoning does not create a sense of place and community with diverse housing types.
4. The proposed rezoning does not provide sufficient development acreage for retail and service needs of a traditional neighborhood center which includes second-floor residential.

### **APPELLATE RIGHTS**

In accordance with s.163.3215, *Florida Statutes*, you are hereby advised that you have 30 days to appeal the decision of the City Council to the Circuit Court in Lake County, Florida. The

<sup>1</sup> Ch. 1, Future Land Use Element of the City of Groveland's Comprehensive Plan Policy 1.1.2.

<sup>2</sup> Ch. 1, Future Land Use Element of the City of Groveland's Comprehensive Plan Policy 1.1.6.

<sup>3</sup> Ch. 1, Future Land Use Element of the City of Groveland's Comprehensive Plan Policy 1.1.7

time for appeal shall begin from the date the City Council renders its written decision by signing this Order.

Date: \_\_\_\_\_, 2020

\_\_\_\_\_  
Evelyn Wilson, Mayor  
City of Groveland, Florida

Attest:

\_\_\_\_\_  
Virginia Wright, City Clerk



Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



## CONSENT AGENDA ITEM

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: T.J. FISH, DIRECTOR OF TRANSPORTATION & PUBLIC WORKS

SUBJECT: AUTHORIZATION OF THE MAYOR TO SIGN A LETTER ON BEHALF OF THE CITY COUNCIL TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS SUPPORTING THE USE OF PUBLIC FUNDS FOR THE DEVELOPMENT OF REGIONAL TRAIL PROJECTS

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND:**

On October 13, a presentation to the Lake County Board of County Commissioners is planned regarding regional trails. The presentation will include what is occurring locally with Lake County and various municipalities pertaining to the development of regional trails. The presentation will also include the change in funding policy of the Florida Department of Transportation (FDOT) and what the Lake ~Sumter Metropolitan Planning Organization (MPO) is recommending as a result. Local funding to plan regional trail projects is now required in order to receive subsequent funding from FDOT for right-of-way acquisition and construction.

The attached draft letter conveys to the Lake County Board of County Commissioners the City of Groveland's support of trails. It also urges the Commission to consider the use of County funds to perform the necessary planning to qualify trail projects for FDOT funding. Please note that the South Lake Trail phases through Groveland – each piece part of the Central Florida Coast to Coast Connector Trail – are funded through construction. This fortuitous distinction is not true for several other trail project throughout Lake County, especially in North Lake.

#### **BUDGET IMPACT:**

None.

#### **LEGAL NOTICE:**

Not required.

#### **STAFF RECOMMENDATION:**

Staff recommends approval the draft letter from Mayor Wilson to the Lake County Board of County Commissioners.

#### **ATTACHMENTS:**

Attachment 1 – Draft letter pertaining to the support of regional trails.



**Evelyn Wilson**  
Mayor  
352-429-2141 ext. 811  
Evelyn.Wilson@groveland-fl.gov

156 south Lake Avenue • Groveland, FL 34736 • [www.Groveland-FL.gov](http://www.Groveland-FL.gov)

---

October 5, 2020

Lake County Board of County Commissioners  
315 West Main Street  
Tavares, Florida 32778

Chair Leslie Campione,

On behalf of the City Council of Groveland, we urge you and the Board of County Commissioners to seriously consider a funding policy that would support the development of trails in Lake County. This public investment in eco-tourism infrastructure is the right fit for a county that promotes itself as "Real Florida, Real Close."

The Florida Department of Transportation (FDOT) has changed the rules on local governments by no longer funding trail PD&E studies (project development and environment studies). Without the required study, a trail project has not yet been defined sufficiently to proceed to design, right-of-way acquisition, and construction phases. The expectation by FDOT is that local governments committed to their trail projects will fund such studies with local funds in order to qualify their trail project for FDOT funding. This is an approach to attract local funds into project in order to receive state and federal funding.

In Groveland, we are benefiting from years of planning the South Lake Trail. FDOT is soon to be acquiring right of way for the next phase of the trail into our downtown. Because the South Lake Trail is part of the Central Florida Coast to Coast Connector Trail, FDOT has made a commitment to fund all phases through construction of the trail to the Van Fleet State Trail in Sumter County and beyond. The future of trails in North Lake is not nearly as bright without local support through funding of planning.

Groveland is now embarking on the planning to connect our neighborhoods to the Coast to Coast Trail. With the State of Florida investing approximately \$15 million in the development of the Coast to Coast Trail just in Groveland, the City Council is compelled to perform the necessary planning to provide connectivity to that spine. Our first local trail project is beginning with a feasibility study of connecting from the Coast to Coast Trail at CR 565A and CR 561 across the Palatlahaha River to Cherry Lake Park on Wilson Lake Parkway.

On behalf of the City Council of Groveland, I offer these thoughts as the Board of County Commissioners contemplates the use of Lake County funds to develop trails. Please seriously consider moving forward this fiscal year on this important investment in infrastructure. The return on investment in trail infrastructure is high. And much like Groveland, trails are naturally charming.

Thank you for your consideration.

Mayor Evelyn A. Wilson

*City with Natural Charm*



# **OLD BUSINESS**



## AGENDA ITEM 1

### MEMORANDUM

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

VIA: MIKE HEIN, CITY MANAGER

FROM: TIM MASLOW, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: CONSIDERATION OF APPROVAL: ORDINANCE 2020-30 –  
COMMUNITY DEVELOPMENT CODE (SECOND READING)

DATE: OCTOBER 5, 2020

---

#### **GENERAL SUMMARY/BACKGROUND**

The City of Groveland's Community Development Staff propose to amend the Land Use and Development Regulations of the Code of Ordinances and adopt a new zoning code and map.

With the recently adopted Future Land Use Element, staff balanced the opportunities for growth with the desire to retain a significant portion of land as agriculture and conservation. The new Community Development Code correlates with the new Future Land Use categories and is calibrated to complement various scales of development within the new community types of Town, Village, Hamlet, and Employment Center.

Staff analyzed innovative concepts from new urbanist communities including Serenbe, Georgia; Habersham, South Carolina; and Seaside and Oakland Park in Florida. Using these precedents, the new Code features building standards such as setback and height requirements, a diversity of housing types, vernacular architectural styles, thoroughfare and open space design criteria, and other elements of community planning. Low impact development techniques such as permeable surfaces, bio-retention areas, grassed swales, vegetated rooftops, and rain barrels will help to ensure Groveland maintains a green footprint. New Town, Village, and Hamlet neighborhoods will feature trail oriented development along an interconnected system of walking and bicycling trails, parks, open spaces, conservation lands, and paddling corridor linkages. Special attention was given to the Green Swamp Area of Critical State Concern per state guidelines, including provisions for increased open space and pervious surface.

The next phase of planning will include securing a Joint Planning Agreement between Groveland and Lake County to guide and manage growth occurring on County parcels within the City's utility service boundary.

*"City with Natural Charm"*

On September 17, 2020, the Planning & Zoning Board voted unanimously to approve Ordinance 2020-30.

**STAFF RECOMMENDATION**

Community Development Staff: Approval of Ordinance 2020-30.

Planning & Zoning Board: Approval of Ordinance 2020-30.

**ATTACHMENTS**

Attachment 1 Ordinance 2020-30, Community Development Code, and Zoning Map

Attachment 2 Notice Support Documentation

# ATTACHMENT 1



## **ORDINANCE 2020-30**

**AN ORDINANCE OF THE CITY OF GROVELAND, COUNTY OF LAKE, STATE OF FLORIDA, AMENDING CHAPTERS IN SUBPART B OF THE CODE OF ORDINANCES KNOWN AS THE LAND USE AND DEVELOPMENT REGULATIONS; ADOPTING A NEW ZONING CODE AND ZONING MAP; REPEALING CHAPTERS 101, 149, AND 153; REPEALING ARTICLES I, II AND III IN CHAPTER 137, AS WELL AS ARTICLES I, II AND III IN CHAPTER 145; RETAINING APPENDIX A – FEE SCHEDULE; PROVIDING FOR CONFLICTS, CODIFICATION AND SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council is authorized pursuant to Chapter 163 and Chapter 166, Florida Statutes to adopt this ordinance; and

**WHEREAS**, within 1 year after submission of a revised comprehensive plan for review pursuant to s. 163.3191, Florida Statutes, a city is required to amend and enforce land development regulations that are consistent with and implement the adopted comprehensive plan; and

**WHEREAS**, City Council adopted an amended future land use element and future land use map series on August 24, 2020, and therefore, it is necessary to amend the land development regulations; and

**WHEREAS**, the planning and zoning board, who also performs the functions of a local planning agency, has considered this ordinance at a public meeting, and has found it to be consistent with the City's Comprehensive Plan as amended; and

**WHEREAS**, the City Council has considered this ordinance at two public hearings, and has found it to be consistent with the City's Comprehensive Plan as amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GROVELAND, LAKE COUNTY, FLORIDA, as follows:**

**SECTION 1.** The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this ordinance.

**SECTION 2.** That Subpart B of the Code of Ordinances known as the Land Use and Development Regulations, is amended and shall hereafter read as set forth in the Land Development Code, a copy of which is attached hereto.

**SECTION 3.** The zoning map, a copy of which is attached hereto, is hereby adopted.

**SECTION 4. Repeal.** That Chapters 101, 149, and 153 in their entirety, Articles I, II and III in Chapter 137, and Articles I, II and III in Chapter 145 are repealed.

**SECTION 5. Retain.** Appendix A – Fee Schedule, as may have been amended, is retained, and is not repealed. Chapters 105, 109, 113, 117, 121, 125, 129, 133, and 141 are retained and are not repealed.

**SECTION 6.** All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

**SECTION 7.** It is the intent of the City Council of the City of Groveland that the provisions of this ordinance shall become and made a part of the City of Groveland Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 8.** If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the City of Groveland that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

**SECTION 9.** The provisions within this ordinance shall take effect in accordance law.

**PASSED AND ORDAINED** in regular session of the City Council of the City of Groveland, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

---

Evelyn Wilson, Mayor  
City of Groveland, Florida

ATTEST:

---

Virginia Wright  
City Clerk



Approved as to Form:

\_\_\_\_\_  
Anita Geraci-Carver  
City Attorney

Passed First Reading \_\_\_\_\_  
Passed Second Reading \_\_\_\_\_

Council Member \_\_\_\_\_ moved the passage and adoption of the above and foregoing Ordinance. Motion was seconded by Council Member \_\_\_\_\_ and upon roll call on the motion the vote was as follows:

	YEA	NAY
Mike Radzik		
Mike Smith		
Dina Sweatt		
Randolph Waite		
Evelyn Wilson		